

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Woodrow C. Monte Docket No.: 56570.00002
Application No.: 10/068,750 Group Art Unit: 1615
Filing Date: February 5, 2002 Examiner: Not Yet Assigned

TITLE: PROBIOTIC/PREBIOTIC COMPOSITION AND DELIVERY METHOD

INFORMATION DISCLOSURE STATEMENT PURSUANT TO
37 C.F.R. §§1.97-1.98

Commissioner for Patents
Washington, DC 20231

Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R. §§1.97-1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO-1449. One copy of each cited document is submitted herewith.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant reserves the right to dispute any of the listed documents as prior art during examination. Further, Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO-1449 and return a copy thereof to the undersigned.

The present Information Disclosure Statement is being filed within three months of the filing date of the U.S. patent application. Therefore, no certification under 37 C.F.R. §1.97(e) or fee under 37 C.F.R. §1.17(p) is required.

Respectfully submitted,

4-29-02
Date

By David E. Rogers
David E. Rogers
Reg. No. 38,287

Enclosures: PTO-1449 w/Cited references
Transmittal
Statement

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MAY 07 2002
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